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General Assembly
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Agenda item 124
International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Security Council
Sixty-seventh year

Identical letters dated 27 November 2012 from the Secretary-General to the President of the General Assembly and the President of the Security Council

I have the honour to transmit to you the attached letter dated 31 October 2012 from Judge Vagn Joensen, President of the International Criminal Tribunal for Rwanda (see annex).

Judge Joensen requests an extension of the term of office of five permanent judges of the Appeals Chamber of the Tribunal until 31 December 2014 or until the completion of the cases to which they are or will be assigned, if sooner.

Pursuant to Security Council resolution 1932 (2010) and General Assembly decision 64/415 B, the term of office of the judges then serving in the Appeals Chamber, namely Judge Mehmet Güney and Judge Andrésia Vaz, was extended to 31 December 2012 or until the completion of their cases, if sooner. At that time, Judge Khalida Rachid Khan, Judge Arlette Ramaroson and Judge Bakhtiyar Tuzmukhamedov were members of the Trial Chamber. The three judges were subsequently assigned to the Appeals Chamber pursuant to article 13, paragraph 3, of the Statute of the Tribunal, as amended by Security Council resolution 1878 (2009), according to which the term of office of each judge redeployed to the Appeals Chamber shall be the same as the term of office of the judges in the Appeals Chamber. Consequently, the terms of office of Judge Khan, Judge Ramaroson, and Judge Tuzmukhamedov are also set to expire on 31 December 2012.

The updated appeals schedule attached to the letter from Judge Joensen shows that the appeals to which these judges are or will be assigned will not be completed

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by the end of 2012. Therefore, it is necessary to extend the term of office of the judges beyond 31 December 2012.

It falls to the General Assembly and the Security Council to consider and decide on this request. Accordingly, I would be grateful if the present letter and the annex thereto were circulated as a document of the General Assembly and of the Security Council.

(*Signed*) **BAN** Ki-moon

Annex

Letter dated 31 October 2012 from the President of the International Criminal Tribunal for Rwanda addressed to the Secretary-General

I am writing to request the extension of the terms of office of the permanent judges of the Tribunal who are members of the Appeals Chamber. In connection with this, I have the honour to submit herewith the current projected appeals schedule (see appendix).

Pursuant to Security Council resolution 1932 (2010), the terms of office of Judges Mehmet Güney (Turkey) and Andrésia Vaz (Senegal) will expire on 31 December 2012. In line with article 13, paragraph 3, of the Statute of the Tribunal, as amended by Security Council resolution 1878 (2009), the terms of office of the Judges redeployed from the Trial Chambers of the Tribunal to the Appeals Chamber automatically become the same as the term of the Judges serving in the Appeals Chamber. Therefore, the terms of office of all permanent judges of the Tribunal who are members of the Appeals Chamber expire on 31 December 2012.

By reference to the attached appeals schedule, and noting their involvement in appeals in the International Tribunal for the Former Yugoslavia, the extension of the terms of office until 31 December 2014 or until completion of the appeals to which they are or will be assigned, if sooner, is sought for the following permanent judges:

Judge Mehmet Güney (Turkey)
Judge Arlette Ramaroson (Madagascar)
Judge Andrésia Vaz (Senegal)
Judge Khalida Rachid Khan (Pakistan)
Judge Bakhtiyar Tuzmukhamedov (Russian Federation)

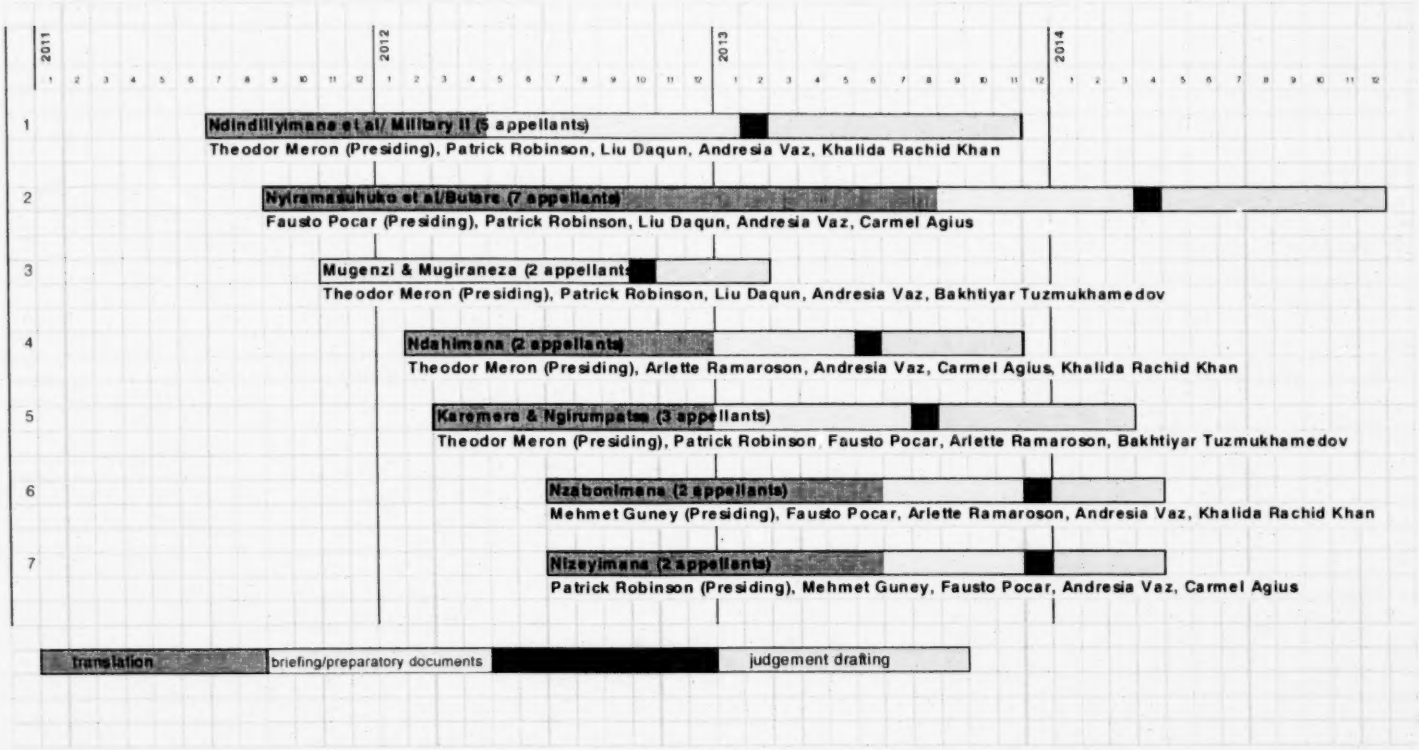
These extensions are of crucial importance in ensuring that the Tribunal can meet the goals of its completion strategy, i.e., the completion of all appeals by the end of 2014.

Therefore, I would be grateful if you would bring the present letter and its appendix to the attention of the Security Council and the General Assembly for consideration and necessary action.

(*Signed*) Judge Vagn **Joensen**
President

Appendix

International Criminal Tribunal for Rwanda projected appeals schedule (as at 31 October 2012)


2011
2012
2013
2014
1 2 3 4 5 6 7 8 9 10 11 12
1
Ndindiliyimana et al/ Military II (5 appellants)
Theodor Meron (Presiding), Patrick Robinson, Liu Daqun, Andresia Vaz, Khalida Rachid Khan
2
Nyiramasuhuko et al/Butare (7 appellants)
Fausto Pocar (Presiding), Patrick Robinson, Liu Daqun, Andresia Vaz, Carmel Agius
3
Mugenzi & Mugiraneza (2 appellants)
Theodor Meron (Presiding), Patrick Robinson, Liu Daqun, Andresia Vaz, Bakhtiyar Tuzmukhamedov
4
Ndahimana (2 appellants)
Theodor Meron (Presiding), Arlette Ramaroson, Andresia Vaz, Carmel Agius, Khalida Rachid Khan
5
Karemera & Ngirumpatse (3 appellants)
Theodor Meron (Presiding), Patrick Robinson, Fausto Pocar, Arlette Ramaroson, Bakhtiyar Tuzmukhamedov
6
Nzabonimana (2 appellants)
Mehmet Guney (Presiding), Fausto Pocar, Arlette Ramaroson, Andresia Vaz, Khalida Rachid Khan
7
Nizeyimana (2 appellants)
Patrick Robinson (Presiding), Mehmet Guney, Fausto Pocar, Andresia Vaz, Carmel Agius
translation
briefing/preparatory documents
judgement drafting